UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,113	07/10/2000	Dirk Husemann	SZ-9-99-017 (728-167)	8808

7590 04/01/2005	EXAMINER
Paul J Barrese	HUYNH, BA

Paul J Barrese
Dilworth & Barrese
333 Earl Ovington Boulevard
Uniondale, NY 11553

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/613,113	HUSEMANN ET AL.
	Examiner	Art Unit
	Ba Huynh	2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   Claims 1-2, 4-6, 9-11, 15-22 are rejected under 35 U.S.C. 102(e) as being anticipated by

US patent #6,466,971 (Humpleman et al).

As for claim 1, 16: Humpleman et al teach a computer implement method and

corresponding system for controlling a first computer device having limited user interface

using a remote second computer, whereby the computers communicate via a wireless

communication channel (1:61-67; 2:39-63) and support a common communication

protocol (5:5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting the limited user interface information from the first computer device

14 to the second computer 12 (5:46-50),

providing an extended user interface on the at least one second computer device

12 corresponding to the limited user interface information (5:50-54), the extended

interface having more extensive capabilities than the capabilities of the limited interface

of the first device 14, the extended user interface utilizing the transmitted limited user

interface information and comprising extended functions so as to extend the capabilities

of the limited user interface (10:28-36. I.e., the interface and function browsed and

displayed in the GUI page).

receiving user input via the extended user interface at the second computer 12,

transmitting user command information corresponding to the user input from the

second computer to the first computer device, and executing the corresponding user

commands at the first computer 14 (5:54-56).

- As for claim 2: The interface information is a standardized user interface description

  (6:11-19).

- As for claims 4, 17: The wireless communication channel is automatically

  established between the computers without user intervention (5:45-56).

- As for claims 5, 18: The second computer having a display for displaying the user

  interface (5:22-26).

- As for claims 6, 19: The second computer 14 comprising a keyboard (5:22-24).

- As for claims 9, 20: The second computer 14 browses the GCO structure data for

  displaying the user interface (5:47-49).

- As for claim 10: Humpleman's teaching of remote control (1:61-65) implicitly

  includes a wireless communication protocol for transmitting information between the

  computers.

- As for claim 11: A HTTP is used for transmitting user command information

  between the computers (12:6-9).

- As for claims 15, 21: Second computer initiates a request for GUI information (5:46-

  48).

- As for claim 22: The system further includes a third computer 96, which third

  computer 14 inherently includes a processor, a transceiver, and a memory for storing

  user interface information (5:39-64;figure 19).

Claim Rejections - 35 USC § 103

2.   Claims 3, 7-8, 12-14, 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US patent #6,466,971 (Humpleman et al).

- As for claim 3: Humpleman fails to clearly teach that the second computer transmits

   a list of services to the first computer prior to the first computer sending user interface

   information. However it would have been obvious to one of skill in the art, at the

   time the invention was made, to implement the transmission a list of services from the

   second computer to the first computer prior to the first computer sending user

   interface information to Humpleman's teaching of universal remote control.

   Motivation of the implementation is for advertising to the first computer the type of

   services the universal remote controller possesses.

- As for claims 7, 8: Humpleman fails to teach that a WML is used for transmitting the

   user interface information from the first computer to the second computer. However

   implementation of WML is well known in the art of user interface for devices having

   limited user input capability. Thus it would have been obvious to one of skill in the

   art, at the time the invention was made, to combine the well known WML to

   Humpleman's teaching of transmitting user interface information. Motivation of the

   combining is for the advantage of allowing the rendering device the flexibility to

   render the user interface in the best manner (see US patent #6,446,096, 5:18-29).

- As for claims 12, 13: Humpleman fails to clearly teach the confirmation signal.

   However it would have been obvious to one of skill in the art, at the time the

invention was made, to implement the confirmation signal notifying the user the
completion of an executed command.

- As for claim 14: Humpleman fails to clearly teach that the first computer initiates
communication. However, it would have been obvious to one of skill in the art, at the
time the invention was made, to implement the first computer initiates
communication by sending the GUI information. Motivation of the implementation is
for speeding up the interaction.

- As for claim 23, 24: User interface information of the first computer 14 (device B)
can be stored in an Interface library 80 at the third computer 96 and can be downloaded
to second computer 12 (device A) responsive to a query from the second computer
(18:25-37; figure 19). Each of the devices includes pointer and handler (16:59-62). Thus
it appears that first computer 14 (device B) provides a pointer to second computer 12
(device A) indicating a memory location in the third device 96 where interface
information of the first computer 14 is stored so that second computer can retrieved the
interface information. Even if it is not, it would have been obvious to one of skill in the
art, at the time the invention was made, to implement the providing of the pointer from
first device 14 to second computer 12 for indication the store location of the user
information. Motivation of the implementation is for the ease of processing speed by
having the data readily available to the second computer.

- As for claims 25, 26: Humpleman et al teach a computer implement method and
corresponding system for controlling a first computer device 14 having limited user
interface using a remote second computer 12, whereby computers 14 and 12

communicate via a wireless communication channel (1:61-67) and support a common

communication protocol (5?5-17; 6:10-19), the method/system comprising the

steps/means for:

transmitting the limited user interface information from the first computer device

14 to the second computer 12 (5:46-50),

providing an extended user interface at the second computer device corresponding

to the user interface information (5:50-54), the extended interface having more extensive

capabilities than the capabilities of the limited interface of the first device 14, the

extended user interface utilizing the transmitted limited user interface information and

comprising extended functions so as to extend the capabilities of the limited user

interface (10:28-36. I.e., the interface and function browsed and displayed in the GUI

page).

receiving user input via the extended user interface at the second computer 12,

transmitting user command information corresponding to the user input from the

second computer to the first computer device, and executing the corresponding user

commands at the first computer 14 (5:54-56). Humpleman fails to clearly teach the

confirmation signal. However it would have been obvious to one of skill in the art, at the

time the invention was made, to implement the confirmation signal notifying the user the

completion of an executed command.

Response to Arguments

3.   Applicant's arguments have been fully considered but they are not persuasive.

REMARKS:

In response to the argument that Humpleman et al do not provide an extended user-

interface having extensive capabilities than the limited user interface, this limitation is disclosed

by Humpleman as set forth above in the rejection. See Humpleman's 2:39-63, 5:45-55.

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The
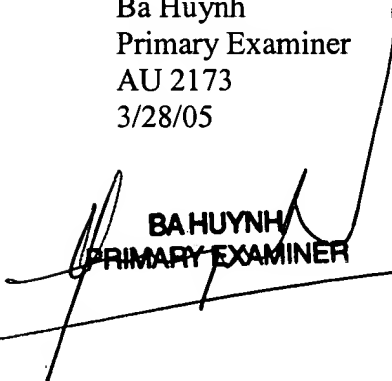
examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2173
3/28/05

BA HUYNH
PRIMARY EXAMINER